

Search & Seizure
Emergency Exception

Brigham City, Utah v. Stuart
United States Supreme Court, May 22, 2006

The police may enter a home without a warrant when they have an objectively reasonable basis for believing that an occupant is seriously injured or imminently threatened with such injury.

The police responded, at 3:00 a.m., to complaints about a loud party. As they approached the house, they could hear a loud and tumultuous fight occurring inside. The noise seemed to be coming from the back of the house; after looking in the front window and seeing nothing, the officers proceeded around back to investigate further. They found two juveniles drinking beer in the backyard. From there, they could see that a fracas was taking place inside the kitchen. A juvenile, fists clenched, was being held back by several adults. As the officers watched, he broke free and struck one of the adults in the face, which sent the adult to the sink spitting blood. At this point, the police opened the screen door and announced their presence. Amid the tumult, nobody noticed. The officer entered the kitchen and again identified themselves, and when the occupants became aware that the police were present, the fight stopped. Arrests were made.

Reversing a decision of the Utah Supreme Court, the Supreme Court held that the entry into the house was justified by the emergency exception to the warrant requirement where police are permitted to enter a home to render assistance or aid to an injured person or to protect an occupant from imminent injury. The Court also found the manner of entry to be reasonable.

The Court rejected the idea the emergency exception has a subjective element that requires an assessment of whether the police were actually motivated to make arrests as opposed to render assistance. Rather, the Court reiterated the objective nature of the 4th Amendment reasonableness inquiry. The Court also rejected the claim that the witnessed conduct was not serious enough to justify the entry. Nothing in the 4th Amendment required them to stay put and watch until someone was rendered unconscious or worse.